

### **REMARKS/ARGUMENTS**

Claims 15-28 are currently pending in this Application. In an Office Action mailed May 1, 2008, claims 20-28 were rejected, as claims 15-19 have been previously withdrawn.

In this Response, the Applicant has amended claims 20, 21 and 26. Additionally, claims 29-34 have been added. The amended and newly added claims are fully supported by the specification and do not add new matter. Accordingly, the Applicant requests reconsideration of the rejections in light of the above amendments and these remarks.

#### **Rejections under §§102(b), (e)**

Claims 20-28 were rejected under 35 U.S.C. § 102(e) as purportedly being anticipated by Castro, U.S. Pat. No. 6,508,966 (“*Castro*”). Claims 20-28 were also rejected under § 102(b) as purportedly being anticipated by Osada, U.S. Pat. No. 6,162,236 (“*Osada*”).

Applicant’s attempts to traverse these references in its last Office Action Response have been considered unpersuasive. In light of Applicant’s previous arguments, and to expedite prosecution of the Application, the Examiner has kindly suggested amending the claims to clarify the invention with respect to the splines and flex material. In consideration of this suggestion, independent claims 20, 21 and 26 have been amended and dependent claims 29-37 added to include claim limitations which explicitly speak to the splines being embedded in a flex material. *See, e.g.*, claims 20, 21 and 26, *supra*. This limitation in all of the independent claims is neither taught nor suggested by the art relied upon in rejecting the claims.

Accordingly, and in view of the above amendments, Applicant submits that all pending claims are now in condition for allowance and respectfully requests reconsideration of the rejections and passage to issue.

### **CONCLUSION**

Accordingly, and in view of the above amendments, Applicant submits that pending claims 20-34 are now in condition for allowance and respectfully requests reconsideration of the rejections and passage to issue.

Should anything further be required, a telephone call to the undersigned at (312) 226-1818 is respectfully invited.

Respectfully submitted,

FACTOR & LAKE, LTD.

Dated: October 17, 2008



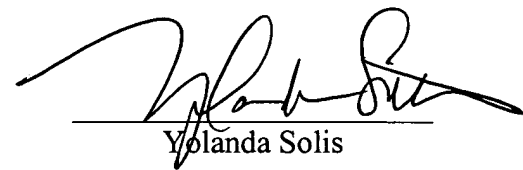
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### **CERTIFICATE OF MAILING**

I hereby certify that this RESPONSE TO OFFICE ACTION is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop – Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 17, 2008.



Yolanda Solis